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PATENT

Attorney Docket No.: 18184-0004 US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re: Patent application of : Group Art Unit:  
Herbert W. Harris, *et al.* : 1617  
Serial No.: 10/728,261 : Examiner:  
: Kendra D. Carter  
Filed: December 3, 2003 : Conf. No. 7783  
For: PHARMACEUTICAL COMPOSITION OF 1- (3,4-  
DIMETHOXYPHENYL)-4-METHYL-5-ETHYL-7-METHOXY-8-  
HYDROXY-5H-2,3-BENZODIAZEPINE AND USES THEREOF

**INFORMATION DISCLOSURE STATEMENT**

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Pursuant to 37 C.F.R. §1.56 and in accordance with 37 C.F.R. §§1.97-1.98, submitted herewith are copies of the references listed in the accompanying form PTO-1449, except for any U.S. patents and published U.S. patent applications which may be listed.

In accordance with 37 C.F.R. §1.97(c)(2), a fee of \$180 is enclosed herewith. No further fees are believed to be due for the filing of this paper. Any additional fees may be charged to deposit account 50-0573.

**CERTIFICATE OF MAILING  
UNDER 37 C.F.R. 1.8(a)**

I hereby certify that this paper, along with any paper referred to as being attached or enclosed, is being deposited with the United States Postal Service on the date indicated below, with sufficient postage, as first class mail, in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

BY

*Jennifer R. Harris*

DATE:

*7/23/09*

07/27/2009 CCHAUI 00000008 10728261

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PHIP/757961.1

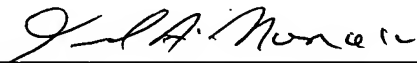
The Examiner is respectfully requested to review the items listed on the PTO Form 1449 and make them of record in the instant application as required by M.P.E.P. §609. It is requested that the Examiner initial the enclosed duplicate substitute Form 1449, and return one copy to the undersigned.

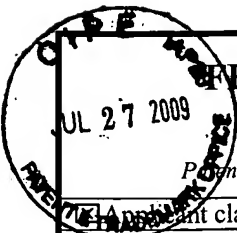
The Applicants note that WO 02/088096 was originally published in French. The original French publication, along with an English translation obtained by the Applicants, are enclosed herewith.

This Information Disclosure Statement should not be construed as a representation that the cited references are material or prior art, or that more relevant references do not exist.

Respectfully submitted,

HERBERT W. HARRIS, *et al.*

BY   
\_\_\_\_\_  
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# **FREE TRANSMITTAL for FY 2009**

Patent fees are subject to annual revision.

☒ Applicant claims small entity status. See 37 CFR 1.27

**TOTAL AMOUNT OF PAYMENT \$180.00**

**METHOD OF PAYMENT** (check all that apply)

☒ Check ☐ Credit Card ☐ Money Order ☐ Other ☐ None

☐ Deposit Account:

Deposit Account Number **50-0573**

Deposit Account Name **Drinker Biddle & Reath LLP**

The Director is authorized to: (check all that apply)

☐ Charge fee(s) indicated below ☒ Credit any overpayments

☒ Charge any additional fee required under 37 CFR 1.16 and 1.17

☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

## **FEE CALCULATION**

### **EXTRA CLAIMS FEES FOR UTILITY AND REISSUE**

Total Claims \* -20\*\* = 0 X \* = \$0

Independent Claims \* - 3\*\* = 0 X 100 = \$0

Multiple Independent + 360/180 = \$0

Large Fee Code	Large Entity Fee (\$)	Small Fee Code	Small Entity Fee (\$)	Fee Description
1202	50	2202	25	Claims in excess of 20
1201	220	2201	110	Independent claims in excess of 3
1203	360	2203	180	Multiple dependent claim, if not paid
1204	200	2204	100	**Reissue independent claims over original patent
1205	50	2205	25	**Reissue claims in excess of 20 and over original patent

\*\*or number previously paid, if greater; For Reissue, see above

**SUBMITTED BY CUSTOMER NO. 23973**

Complete (if applicable)

Name (Print/Type)	Daniel A. Monaco	Registration No. (Attorney/Agent)	30,480	Telephone	(215) 988.3312
Signature	<i>Daniel A. Monaco</i>	Date	7-23-2009		

## **Complete if known**

Application Number	10/728,261
Filing Date	December 3, 2003
First Named Inventor	Herbert W. Harris
Examiner Name	Kendra D. Carter
Art Unit	1617
Attorney Docket No.	18184-0004US

## **FEE CALCULATION** (continued)

### **ADDITIONAL FEES**

Fee Code	Large Entity Fee (\$)	Fee Code	Small Entity Fee (\$)	Fee Description	Fee Paid
1051	130	2051	65	Surcharge - late filing fee or oath	
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet	
1053	130	1053	130	Non-English specification	
1812	2,520	1812	2,520	For filing a request for <i>ex parte</i> reexamination	
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	
1251	130	2251	65	Extension for reply within first month	
1252	490	2252	245	Extension for reply within second month	
1253	1,110	2253	555	Extension for reply within third month	
1254	1,730	2254	865	Extension for reply within fourth month	
1255	2,350	2255	1,175	Extension for reply within fifth month	
1401	500	2401	250	Notice of Appeal	
1402	500	2402	250	Filing a brief in support of an appeal	
1403	1,000	2403	500	Request for oral hearing	
1451	1,510	1451	1,510	Petition to institute a public use proceeding	
1452	500	2452	250	Petition to revive - unavoidable	
1453	1,540	2453	770	Petition to revive - unintentional	
1501	1,400	2501	700	Utility issue fee (or reissue)	
1503	1,100	2503	550	Plant issue fee	
1462	400	1462	400	Petition to the Commissioner - Group I	
1463	200	1463	200	Petition to the Commissioner - Group II	
1464	130	1464	130	Petition to the Commissioner - Group III	
1807	50	1807	50	Processing fee under 37 CFR 1.17(q)	
1806	180	1806	180	Submission of Information Disclosure Stmt	180.
1810	790	2810	395	For each additional invention to be examined (37 CFR § 1.129(b))	
1801	790	810	405	Request for Continued Examination (RCE)	
1802	900	1802	900	Request for expedited examination of a design application	
Other fee (specify)					